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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

2010 JAN 20 PM 3:55

Arizona Corporation Commission

DOCKETED

JAN 20 2010

DOCKETED BY

IN THE MATTER OF DIVERSIFIED  
WATER UTILITIES, INC. TO EXPAND ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY

DOCKET NO.: W-02859A-04-0844

DIVERSIFIED WATER UTILITIES,  
INC.'S REQUEST FOR EXTENSION TO  
COMPLY WITH DECISION NO. 70181

Diversified Water Utilities, Inc., ("Diversified") was granted an extension of its Certificate of Convenience and Necessity ("CC&N") in Pinal County by Decision No. 70181 (the "Decision") dated February 27, 2008. The Decision ordered Diversified to file with Docket Control by February 27, 2010, as a compliance filing, copies of:

1. Arizona Department of Environmental Quality's Approval to Construct the water plant facilities needed to serve the first development in the extension area; and
2. The developer's Arizona Department of Water Resources Certificate of Assured Water Supply for the first subdivision in the extension area.

Due to the slowdown of development caused by the State's current economic situation, additional time is needed to meet the compliance requirements of the Decision.

Diversified remains committed to serving the extension area. Diversified has spent substantial time and money processing an application for a Certificate of Assured Water Supply with the Arizona Department of Water Resources. The ADWR altered its criteria for

1 reviewing such applications following the grant of Decision No. 70181 necessitating  
2 Diversified's development of a new hydrologic model for its certificated area. The ADWR is  
3 still reviewing and commenting on the model and the pending application for Certificate of  
4 Assured Water Supply. Diversified has also reviewed and provided comments on the  
5 developer's preliminary plans for water facilities needed to serve its development.

6 Based on the foregoing, Diversified respectfully requests an extension of not  
7 less than two years to comply with the Decision.

8 RESPECTFULLY SUBMITTED this 20th day of January, 2010.

9 CURTIS, GOODWIN, SULLIVAN,  
10 UDALL & SCHWAB, P.L.C.

11  
12 By: William P. Sullivan  
13 William P. Sullivan  
14 501 East Thomas Road  
15 Phoenix, Arizona 85012  
16 Attorneys for Diversified Water Utilities,  
17 Inc.

18 PROOF OF AND CERTIFICATE OF MAILING

19 I hereby certify that on this 20th day of January, 2010, I caused the foregoing  
20 document to be served on the Arizona Corporation Commission by delivering the original and  
21 thirteen (13) copies of the above to:


22 Docket Control  
23 Arizona Corporation Commission  
24 1200 West Washington  
25 Phoenix, Arizona 85007

1 Copies of the foregoing hand delivered  
2 this 9th day of January, 2010 to:

3 Dwight Nodes, Administrative Law Judge  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 Kevin Torrey, Esq.  
8 Legal Division  
9 Arizona Corporation Commission  
10 1200 West Washington Street  
11 Phoenix, Arizona 85007

12 Steve Olea, Director  
13 Utilities Division  
14 Arizona Corporation Commission  
15 1200 West Washington  
16 Phoenix, Arizona 85007

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1620\3-2 (2004 CC&N App)\Pleadings\Request for Ext for Compliance filing